

REMARKS/ARGUMENTS

The election/restriction requirement dated June 15, 2006 has been considered. The Examiner asserts that restriction to one of Groups I-III is required under 35 U.S.C. §121. **Group I** (Claims 2-4, 23, 27-29) is provisionally elected with traverse. It is the Applicants' understanding that all independent claims, including Claims 1, 20, 31, 32, 34 and 37, will be examined with any selected invention group.

The issue remains, as with the first restriction requirement, as to the rationale for requiring restriction. As indicated in M.P.E.P § 809.03, "[W]here an application includes two or more **otherwise properly divisible inventions** that are linked by a claim which, if allowable, would prevent restriction, the examiner should require restriction...." (emphasis added). The Applicants respectfully submit that no rationale has been provided to establish that the application includes "otherwise properly divisible inventions." Thus, as in the prior response to the restriction requirement, the Applicants maintain that the requirement for restriction lacks the requisite showing as to the reasons for requiring restriction. Therefore, the Applicants respectfully maintain the arguments in the prior response, and preserve the ability to petition the requirement for restriction.

Nevertheless, the Applicants provisionally elect the claims of Group I (Claims 2-4, 23, 27-29) to be examined along with the linking claims identified by the Examiner (*i.e.* Claims 1, 20, 31, 32, 34 and 37. If the Examiner would like to discuss this, the undersigned attorney of record invites the Examiner to him at the convenience of the Examiner.

Respectfully submitted,

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